

Application/Control Number: 09/770,858

Docket No.: 113351A

REMARKS

Reconsideration and allowance are requested. By this amendment, Applicant canceled claims 36-49, 51-67, 69, and 73 without prejudice or disclaimer. Applicant amended claims 50, 68, 70, and 72. Claim 72 was amended only to correct an error in the claim. Claims 50, 68, and 70-72 remain pending. New claim 74 is introduced that corresponds to allowable claim 50.

In the outstanding Office Action, the Examiner rejected claims 57, 60, and 73 under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 6,185,197 to Yeung et al ("Yeung"); rejected claim 58 under 35 U.S.C. 103(a) as allegedly being unpatentable over Yeung in view of published U.S. Patent Application No. 2004/0101032 to Dabak et al ("Dabak"); rejected claims 36-38, 40, 44, 46-48, 51-55, and 67 under 35 U.S.C. 103(a) as allegedly being unpatentable over Yeung in view of U.S. Patent No. 5,838,669 to Gerakoulis; rejected claim 59 under 35 U.S.C. 103(a) as allegedly being unpatentable over Yeung in view of Dabak and further in view of Gerakoulis; rejected claims 39 and 42 under 35 U.S.C. 103(a) as allegedly being unpatentable over Yeung in view Gerakoulis and further in view of published U.S. Patent Application No. 2002/0110102 to Wei et al ("Wei"); rejected claims 41, 43, 45, 49, 56, 61-66, and 69 under 35 U.S.C. 103(a) as allegedly being unpatentable over Yeung in view Gerakoulis and further in view of published U.S. Patent Application No. 2001/0018347 to Ziv et al ("Ziv"); provisionally rejected claims 71 and 72 under the judicially created doctrine of double patenting as allegedly being unpatentable over claims 53 and 54 of U.S. Patent Application No. 09/770,890; and objected to claims 50, 68, 70 for being dependent upon a rejected base claim.

Applicant wishes to thank the Examiner for acknowledging that claims 50, 68, and 70 contain allowable subject matter.

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Rejection of Claims 36-49, 67, 69, and 73

Applicant canceled claims 36-49, 67, 69, and 73 without prejudice or disclaimer, thereby making the rejection to these claims moot. Therefore, Applicant respectfully requests that the rejection of these claims be withdrawn.

Rejection of Claims 71 and 72

On page 2 of the outstanding Office Action, the Examiner provisionally rejected claims 71 and 72 under the judicially created doctrine of double patenting as allegedly being unpatentable over claims 53 and 54 of U.S. Patent Application No. 09/770,890. Applicant is submitting a terminal disclaimer with respect to U.S. Patent Application No. 09/770,890. Therefore, Applicant respectfully requests that the provisional rejection of claims 71 and 72 be withdrawn.

Objection to Claims 50, 68, and 70

On page 29 of the outstanding Office Action, the Examiner indicated that claims 50, 68, and 70 are objected for depending from a rejected base claim, but would otherwise be allowed. Applicant amended claims 50, 68, and 70 to be independent form to include the limitations of any base and intervening claims. Therefore, Applicant respectfully requests that the objection of claims 50, 68, and 70 be withdrawn.

New Claim 74

Applicant has introduced new claims 74. This claim is similar in principle to claim 50 and based on the Examiner's comments regarding allowable subject matter in claim 50, Applicant submits that new claim 74 is patentable as well.

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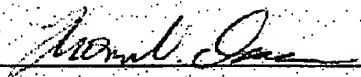
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CONCLUSION

Having addressed the rejections and objections, Applicant respectfully submits that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

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